

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

CIVIL MINUTES

Case No.: CV 10-954-HU

Date of Proceeding: December 14, 2010

Case Title: Mentor Graphics Corporation v. EVE-USA, Inc. et al

Presiding Judge: Hon. Dennis J. Hubel

Courtroom Deputy: Kathleen Bartholomew (326-8060)

Reporter: Dennis Apodaca

Tape No:

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PLAINTIFF'S COUNSEL

DEFENDANT'S COUNSEL

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Mark Miller  
James Geringer

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Ricardo Rodriguez  
Christen Dubois  
Dennis Rawlinson  
Justin Sawyer

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**DOCKET ENTRY:** RECORD OF MOTIONS ARGUMENT and ORDER:

Plaintiff's Motion to Establish First Amended/Supplemental Complaint as Operative Pleading [36] is construed as a motion to allow facts alleged in the First Amended/Supplemental Complaint to be used to establish personal jurisdiction over defendants, and is granted in part as follows: for purposes of resolving Defendants' pending Motion to Dismiss or Transfer [12], the issue is not what is the operative pleading, but rather what are the operative facts. The facts as they existed at the time the original Complaint was filed are the operative facts for assessing personal jurisdiction, however, those operative facts may be explained by, or their evaluation may be amplified by, any subsequently occurring actions as alleged in the First Amended/Supplemental Complaint.

Defendants' Motion to Stay Discovery Pending Motion to Dismiss [25] is granted in part and denied in part, as discussed on the record and as will be set forth in a separate opinion.

Parties shall confer regarding a schedule for jurisdictional discovery, and for the filing of briefs and scheduling of oral argument on Defendant's Motion to Dismiss or Transfer [12], and shall file their joint scheduling proposal by **noon, December 21, 2010**. If the parties have any dispute regarding scheduling issues, the court will address them by telephone conference on **December 21, 2010, at 2:00 p.m.** If there are no disputes about the proposed schedule, it will either be adopted without the need for the hearing on December 21, 2010, or it will be modified at that hearing. The court will advise the parties accordingly after receipt of the proposed schedule.

cc: ( ) All counsel  
Civil Minutes  
Revised 4/22/98

DOCUMENT NO: \_\_\_\_\_  
Honorable Dennis J. Hubel